

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Shigeyuki YOKOYAMA, et al.

Date: January 30, 2007

Serial No.: 10/532,948

Group Art Unit: 1653

Filed: January 9, 2006

Examiner: Kagnev H. GEBREYESUS

For: **NON-NATURALLY-OCCURRING AMINO ACID-CONTAINING PROTEIN
EXPRESSION METHOD**

VIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In the Office Action mailed in this case on December 15, 2006, claims 1-16 are subject to both restriction and election requirements.

In particular, in accordance with 37 C.F.R. 1.499, applicants are required to elect a single invention from among claim Groups I-III. In response applicants elect, without traverse, Group I which includes claims 1-7 drawn to a method of producing a protein.

Further to the above, the Office Action additionally states that the application contains claims to more than one species of the generic invention and that applicants are required to elect a single disclosed species. In response, applicants additionally elect the double mutant species "V37C195" (see, e.g., Table 1 on p. 14). Applicants further submit that the elected species is readable on pending claims 4, 5, 11 and 12.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by

the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM
ON JANUARY 30, 2007

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